



General Assembly

**Substitute Bill No. 519**

February Session, 2008

\* SB00519GL 031108 \*

**AN ACT CONCERNING WINE FESTIVALS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective from passage*) (a) A wine festival permit  
2 shall allow the holder of a manufacturer permit for a farm winery,  
3 issued pursuant to section 30-16 of the 2008 supplement to the general  
4 statutes, to participate in a wine festival organized and sponsored by  
5 the Connecticut Farm Wine Development Council, established  
6 pursuant to section 22-26c of the general statutes. Such wine festival  
7 permit shall not be effective for more than three consecutive days.
- 8 (b) A wine festival permit shall authorize: (1) The sale and  
9 shipment, by the holders of such permits, of wine manufactured by the  
10 farm winery permittee to persons outside the state; (2) the offering and  
11 tasting of free samples of wine or brandy to visitors and prospective  
12 retail customers for consumption on the grounds of the wine festival;  
13 (3) the sale at retail of sealed bottles or other sealed containers of wine  
14 or brandy for consumption off the grounds of the wine festival; and (4)  
15 the sale at retail of wine or brandy by the glass or receptacle, provided  
16 the glass or receptacle is embossed or otherwise permanently labeled  
17 with the trade name of the farm winery permittee.
- 18 (c) No licensed farm winery may sell, offer or give to any person or  
19 entity wine or brandy not manufactured by such farm winery.

20 (d) Only one wine festival permit may be issued per calendar year  
21 pursuant to this section by the Commissioner of Consumer Protection  
22 to each holder of a manufacturer permit for a farm winery. The fee for  
23 a wine festival permit shall be seventy-five dollars.

24 Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding the  
25 provisions of section 30-18a of the 2008 supplement to the general  
26 statutes, the holder of an out-of-state winery shipper's permit, issued  
27 pursuant to said section 30-18a, may obtain an out-of-state wine  
28 festival permit. Such out-of-state wine festival permit shall not be  
29 effective for more than three consecutive days in any calendar year.

30 (b) Such permit shall authorize in this state: (1) The sale and  
31 shipment, by holders of such permits, of wine manufactured by the  
32 out-of-state winery shipper permittee to persons outside the state; (2)  
33 the offering and tasting of free samples of such wine or brandy to  
34 visitors and prospective retail customers for consumption on the  
35 grounds of the wine festival; (3) the sale at retail of sealed bottles or  
36 other sealed containers of wine or brandy for consumption off the  
37 grounds of the wine festival; and (4) the sale at retail of wine or brandy  
38 by the glass or receptacle, provided the glass or receptacle is embossed  
39 or otherwise permanently labeled with the trade name of the out-of-  
40 state winery shipper permittee.

41 (c) No out-of-state winery shipper permittee may sell, offer or give  
42 to any person or entity wine or brandy not manufactured by such out-  
43 of-state winery shipper permittee.

44 (d) No out-of-state winery shipper permittee may sell, offer or give  
45 to a person or entity wine or brandy manufactured by such out-of-state  
46 winery shipper permittee unless such wine or brandy is assigned to a  
47 wholesaler permittee in this state.

48 (e) Only one out-of-state wine festival permit may be issued per  
49 year pursuant to this section by the Commissioner of Consumer  
50 Protection to each holder of an out-of-state winery shipper's permit.  
51 The fee for a wine festival permit shall be seventy-five dollars.

52 Sec. 3. Subsection (a) of section 30-48 of the general statutes is  
53 repealed and the following is substituted in lieu thereof (*Effective from*  
54 *passage*):

55 (a) No backer or permittee of one permit class shall be a backer or  
56 permittee of any other permit class except in the case of any class of  
57 airport, railroad, airline and boat permits, and except that: (1) A backer  
58 of a hotel or restaurant permit may be a backer of both such classes; (2)  
59 a holder or backer of a manufacturer permit for a brew pub, a  
60 restaurant permit or a cafe permit may be a holder or backer of any  
61 other or all of such classes; (3) a holder or backer of a restaurant permit  
62 may be a holder or backer of a bowling establishment permit; (4) a  
63 backer of a restaurant permit may be a backer of a coliseum permit or a  
64 coliseum concession permit, or both, when such restaurant is within a  
65 coliseum; (5) a backer of a hotel permit may be a backer of a coliseum  
66 permit or a coliseum concession permit, or both; (6) a backer of a  
67 coliseum permit may be a backer of a coliseum concession permit; (7) a  
68 backer of a coliseum concession permit may be a backer of a coliseum  
69 permit; (8) a backer of a grocery store beer permit may be a backer of a  
70 package store permit if such was the case on or before May 1, 1996; (9)  
71 a backer of a university permit may be a backer of a nonprofit theater  
72 permit; (10) subject to the discretion of the department, a backer of a  
73 permit provided for in section 30-33b, may be a backer of any other  
74 retail on-premise consumption permit, including those permits  
75 provided for in section 30-33b; (11) a backer of a nonprofit theater  
76 permit may be a holder or backer of a hotel permit; (12) a holder or  
77 backer of a restaurant permit may be a holder or backer of a special  
78 outing facility permit; (13) a backer of a concession permit may be a  
79 backer of a coliseum permit or a coliseum concession permit, or both;  
80 (14) a holder of an out-of-state winery shipper's permit for wine may  
81 be a holder of an in-state transporter's permit or an out-of state wine  
82 festival permit issued pursuant to section 2 of this act, or both; (15) a  
83 holder of an out-of-state shipper's permit for alcoholic liquor other  
84 than beer may be a holder of an in-state transporter's permit; and (16) a  
85 holder of a manufacturer's permit for a farm winery may be a holder of

86 an in-state transporter's permit or a wine festival permit issued  
87 pursuant to section 1 of this act, or both. Any person may be a  
88 permittee of more than one permit. A person may be a permittee under  
89 a permit provided for in section 30-33b and a backer of any other retail  
90 on-premise consumption permit, including those permits provided for  
91 in section 30-33b. The operator of a racing or jai alai exhibition with  
92 pari-mutuel betting licensed by the Gaming Policy Board may be a  
93 backer of any permit provided for in section 30-33b. No holder of a  
94 manufacturer permit for a brew pub and no spouse or child of such  
95 holder may be a holder or backer of more than three restaurant  
96 permits or cafe permits.

97 Sec. 4. Section 30-91 of the general statutes is repealed and the  
98 following is substituted in lieu thereof (*Effective from passage*):

99 (a) The sale or the dispensing or consumption or the presence in  
100 glasses or other receptacles suitable to permit the consumption of  
101 alcoholic liquor by an individual in places operating under hotel  
102 permits, restaurant permits, cafe permits, restaurant permits for  
103 catering establishments, bowling establishment permits, racquetball  
104 facility permits, club permits, coliseum permits, coliseum concession  
105 permits, special sporting facility restaurant permits, special sporting  
106 facility employee recreational permits, special sporting facility guest  
107 permits, special sporting facility concession permits, special sporting  
108 facility bar permits, golf country club permits, nonprofit public  
109 museum permits, university permits, airport restaurant permits,  
110 airport bar permits, airport airline club permits, tavern permits, a  
111 manufacturer permit for a brew pub, casino permits, caterer liquor  
112 permits and charitable organization permits shall be unlawful on: (1)  
113 Monday, Tuesday, Wednesday, Thursday and Friday between the  
114 hours of one o'clock a.m. and nine o'clock a.m.; (2) Saturday between  
115 the hours of two o'clock a.m. and nine o'clock a.m.; (3) Sunday  
116 between the hours of two o'clock a.m. and eleven o'clock a.m.; (4)  
117 Christmas, except (A) for alcoholic liquor that is served where food is  
118 also available during the hours otherwise permitted by this section for  
119 the day on which Christmas falls, and (B) by casino permittees at

120 casinos, as defined in section 30-37k; and (5) January first between the  
121 hours of three o'clock a.m. and nine o'clock a.m., except that on any  
122 Sunday that is January first the prohibitions of this section shall be  
123 between the hours of three o'clock a.m. and eleven o'clock a.m.

124 (b) Any town may, by vote of a town meeting or by ordinance,  
125 reduce the number of hours during which sales under subsection (a) of  
126 this section, except sales pursuant to an airport restaurant permit,  
127 airport bar permit or airport airline club permit, shall be permissible.  
128 In all cases when a town, either by vote of a town meeting or by  
129 ordinance, has acted on the sale of alcoholic liquor or the reduction of  
130 the number of hours when such sale is permissible, such action shall  
131 become effective on the first day of the month succeeding such action  
132 and no further action shall be taken until at least one year has elapsed  
133 since the previous action was taken.

134 (c) Notwithstanding any provisions of subsections (a) and (b) of this  
135 section to the contrary, such sale or dispensing or consumption or  
136 presence in glasses in places operating under a bowling establishment  
137 permit shall be unlawful before two p.m. on any day, except in that  
138 portion of the permit premises which is located in a separate room or  
139 rooms entry to which, from the bowling lane area of the establishment,  
140 is by means of a door or doors which shall remain closed at all times  
141 except to permit entrance and egress to and from the lane area. Any  
142 alcoholic liquor sold or dispensed in a place operating under a bowling  
143 establishment permit shall be served in containers such as, but not  
144 limited to, plastic or glass. Any town may, by vote of a town meeting  
145 or by ordinance, reduce the number of hours during which sales under  
146 this subsection shall be permissible.

147 (d) The sale or dispensing of alcoholic liquor in places operating  
148 under package store permits, drug store permits, manufacturer  
149 permits for beer or grocery store beer permits shall be unlawful on  
150 Decoration Day, Independence Day, Labor Day, Thanksgiving Day,  
151 New Year's Day, Sunday or Christmas or, if Independence Day,  
152 Christmas or New Year's Day occurs on a Sunday, on the Monday next

153 following such day except that such sale or dispensing shall be lawful  
154 on any Independence Day occurring on a Saturday; and such sale or  
155 dispensing of alcoholic liquor in places operating under package store  
156 permits, drug store permits, manufacturer permits for beer and  
157 grocery store beer permits shall be unlawful on any other day before  
158 eight o'clock a.m. and after nine o'clock p.m. It shall be unlawful for  
159 the holder of a manufacturing permit for a brew pub to sell beer for  
160 consumption off the premises on the days or hours prohibited by this  
161 subsection. Any town may, by a vote of a town meeting or by  
162 ordinance, reduce the number of hours during which such sale shall be  
163 permissible.

164 (e) In the case of any premises operating under a tavern permit or  
165 premises operating under a cafe permit, wherein, under the provisions  
166 of this section, the sale of alcoholic liquor is forbidden on certain days  
167 or hours of the day, or during the period when a tavern permit or cafe  
168 permit is suspended, it shall likewise be unlawful to keep such  
169 premises open to, or permit it to be occupied by, the public on such  
170 days or hours.

171 (f) The retail sale of wine and the tasting of free samples of wine by  
172 visitors and prospective retail customers of a permittee holding a  
173 manufacturer permit for a farm winery on the premises of such  
174 permittee shall be unlawful on Sunday before eleven o'clock a.m. and  
175 after eight o'clock p.m. and on any other day before ten o'clock a.m.  
176 and after eight o'clock p.m. Any town may, by vote of a town meeting  
177 or by ordinance, reduce the number of hours during which sales and  
178 the tasting of free samples of wine under this subsection shall be  
179 permissible.

180 (g) Notwithstanding any provision of subsection (a) of this section  
181 to the contrary, food or nonalcoholic beverages may be sold, dispensed  
182 or consumed in places operating under an airport restaurant permit,  
183 an airport bar permit or an airport airline club permit, at any time, as  
184 allowed by agreement between the state of Connecticut and its lessees  
185 or concessionaires.

186 (h) The sale or the dispensing or consumption or the presence in  
 187 glasses or other receptacles suitable to permit the consumption of  
 188 alcoholic liquor by an individual in places operating under a nonprofit  
 189 golf tournament permit shall be unlawful on any day prior to eleven  
 190 o'clock a.m. and after nine o'clock p.m.

191 (i) The tasting of free samples of beer by visitors of a permittee  
 192 holding a manufacturing permit for beer on the premises of such  
 193 permittee shall be unlawful on Sunday before eleven o'clock a.m. and  
 194 after eight o'clock p.m. and on any other day before ten o'clock a.m.  
 195 and after eight o'clock p.m. Nothing in this section shall be construed  
 196 to limit the right of a holder of such permit to conduct manufacturing  
 197 operations at any time. Any town may, by vote of a town meeting or  
 198 ordinance, reduce the number of hours during which the tasting and  
 199 free samples of beer under this subsection shall be permissible.

200 (j) Nothing in this section shall be construed to require any  
 201 permittee to continue the sale or dispensing of alcoholic liquor until  
 202 the closing hour established under this section.

203 (k) The retail sale of wine and the tasting of free samples of wine by  
 204 visitors and prospective retail customers of a permittee holding a wine  
 205 festival permit or an out-of-state wine festival permit issued pursuant  
 206 to section 1 or 2 of this act shall be unlawful on Sunday before eleven  
 207 o'clock a.m. and after eight o'clock p.m., and on any other day before  
 208 ten o'clock a.m. and after eight o'clock p.m. Any town may, by vote of  
 209 a town meeting or by ordinance, reduce the number of hours during  
 210 which the retail sale of wine and the tasting of free samples of wine  
 211 pursuant to this subsection shall be permissible.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	30-48(a)
Sec. 4	<i>from passage</i>	30-91

***Statement of Legislative Commissioners:***

In section 2, (b), "in this state" was inserted for clarity.

**GL**        *Joint Favorable Subst.*